

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JASON ALERS and KEVIN CRAWFORD,
individually and on behalf of all others similarly
situated,

Plaintiffs,

v.

PENNSYLVANIA HIGHER EDUCATION
ASSISTANCE AGENCY d/b/a AMERICAN
EDUCATION SERVICES and FEDLOAN
SERVICING, PERFORMANT RECOVERY,
INC, TRANSWORLD SYSTEMS, INC., and
ACCOUNT CONTROL TECHNOLOGY, INC.

Defendants.

Civil Action No. 2:20-cv-02073

CLASS ACTION

**DEFENDANT PENNSYLVANIA HIGHER EDUCATION ASSISTANCE
AGENCY'S RULE 12(B)(6) MOTION TO DISMISS**

Defendant Pennsylvania Higher Education Assistance Agency d/b/a American Education Services and FedLoan Servicing (“PHEAA”), by counsel, submits its Fed. R. Civ. P. 12(b)(6) Motion to Dismiss in response to the Complaint filed against it by Plaintiffs Jason Alers and Kevin Crawford (collectively, “Plaintiffs”).

Plaintiffs' allegations within the Complaint fail to state a claim for which relief can be granted. Accordingly, the Court should dismiss this entire action with prejudice, and without leave to amend, for the reasons articulated in the contemporaneously filed Memorandum in Support of Rule 12(b)(6) Motion to Dismiss, which is incorporated by reference herein.

WHEREFORE, Pennsylvania Higher Education Assistance Agency d/b/a American Education Services and FedLoan Servicing respectfully requests that the Court dismiss the Complaint with prejudice and grant it such further relief as the Court deems just and proper.

Dated: June 30, 2020

Respectfully submitted,

PENNSYLVANIA HIGHER EDUCATION
ASSISTANCE AGENCY D/B/A
AMERICAN EDUCATION SERVICES
AND FEDLOAN SERVICING

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